

Freedom Circle Parcels 1 through 3, Santa Clara



Draft Removal Action Workplan Available for Public Review & Comment

*DTSC is one of six
Boards and
Departments within
the California
Environmental
Protection Agency.
The Department's
mission is to restore,
protect and enhance
the environment,
to ensure public health,
environmental
quality and
economic vitality,
by regulating
hazardous waste,
conducting and
overseeing
cleanups, and
developing
and promoting
pollution prevention.*

State of California



California
Environmental
Protection Agency



INTRODUCTION

The California Environmental Protection Agency, **Department of Toxic Substance Control (DTSC)** is announcing a 30-day comment period on a Draft **Removal Action Workplan (RAW)** prepared for the Freedom Circle Site, Parcels 1, 2, and 3 (Site) located southeast of the intersection of Freedom Circle Drive and Mission College Boulevard, in the City of Santa Clara, Santa Clara County, California (see Site Vicinity Map). DTSC is the lead agency overseeing environmental activities at the Site.

This fact sheet provides information on:

- The Draft **Removal Action Workplan (RAW)**.
- The **California Environmental Quality Act (CEQA)**, proposed **Notice of Exemption (NOE)**.
- Opportunities for Public Involvement (see public comment box).
- Site related documents are available in the Information Repositories (see last page).

Intel Corporation currently owns the property, and although they did not contribute to the contamination, they have conducted three environmental investigations at the Site to date. In response to environmental investigation findings, a Draft RAW has been generated to establish Site remedial action objectives, identify and evaluate cleanup alternatives, and recommend a cleanup alternative for implementation. This Fact Sheet describes environmental investigations and proposed activities for cleanup of contaminated soil at the Site.

Terms in bold are defined in the glossary.

Public Comment Period

DTSC invites the public to comment on the draft Removal Action Workplan. The Public Comment Period will be held:

August 22 - September 22, 2003

DTSC encourages all interested parties to comment or ask questions. The comments received will be considered in the final approval of the Removal Action Workplan. DTSC will make the final decision based in part on public comments. Please mail written comments post-marked by **September 22, 2003** to:

Ryan Miya, Project Manager
DTSC
700 Heinz Avenue, Suite 200
Berkeley, California 94710
(510) 540-3775
E Mail: rmiya@dtsc.ca.gov

The draft Removal Action Workplan is available for public review in the public repositories (see back page).

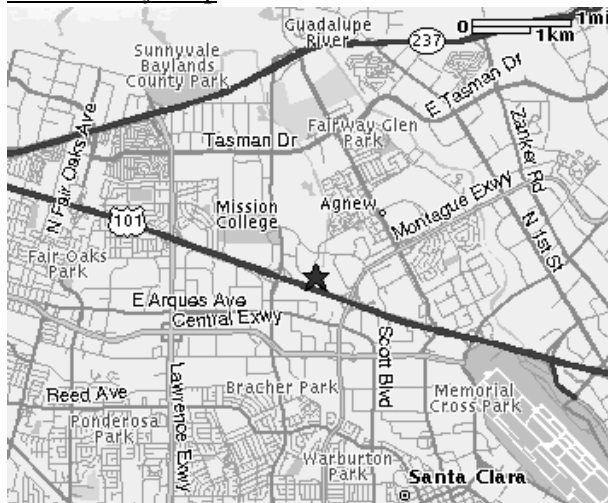
A public meeting will be held if there is significant interest. Please submit a written request for a public meeting, including the issues to be raised, to Ryan Miya at the address above by September 22, 2003.

SITE DESCRIPTION AND HISTORY

The Site consists of three parcels covering approximately 17 acres bordered by San Tomas Aquino Creek on the east, Freedom Circle on the west, Mission College Boulevard on the north, and Highway 101 on the south (see Site Layout map). The Site was used as agricultural land, including pit fruit orchards, from the 1950s to the mid-1970s. The current soil contamination has resulted from these past agricultural uses. From the mid-1970s until Intel purchased the three parcels in late 1997, Parcels 1 and 2 were vacant and undeveloped while Pedro's Restaurant has occupied Parcel 3 since approximately 1980.

Intel Corporation has never used or stored hazardous substances or wastes at the Site. Parcels 1 and 2 have one to five feet of imported fill material overlying the native soil. Since 1997, clean gravel has been placed over Parcel 1 and the northern half of Parcel 2 on at least two separate occasions. Parcels 1 and 2 have been used as a fenced, gravel-covered lot for overflow parking and temporary construction trailers since 1997. Asphalt overlies a majority of Parcel 3 except for bermed landscaped areas and a 10,000 square foot two-story building.

Site Vicinity Map

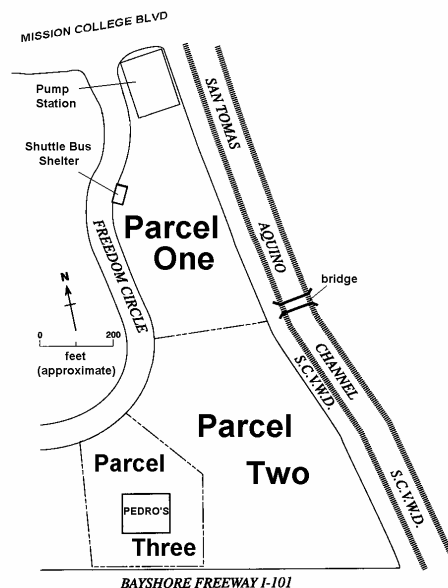


SITE INVESTIGATIONS

Intel conducted environmental investigations in 1997 and 2001 that indicated soil at the Site contains **arsenic**, **lead**, and **organochlorine pesticides** at levels above local background values. The above-background levels are primarily found beneath the imported fill cover, generally 1 to 5 feet and periodically extending as deep as 7 feet below ground surface. There is no indication that **groundwater** has been impacted. Although no definitive source of the contaminants has been identified, **lead**, **arsenic**, and **organochlorine pesticides** were commonly used for pest control on pit fruit trees during historic agricultural applications.

Intel also prepared a health risk assessment to evaluate potential risks to human health and the environment. Results of the risk assessment indicate that no significant human health or ecological risks are present under the current Site conditions and use as an overflow parking lot, construction trailer storage, and Pedro's Restaurant provided that the soil cover (Parcels 1 and 2) and asphalt cover (Parcel 3) is maintained. Additionally, no significant health risks would be present under potential future commercial uses provided the cover is maintained.

Site Layout Map



DRAFT REMOVAL ACTION WORKPLAN (RAW)

The Draft **Removal Action Workplan (RAW)** evaluates three remedial action alternatives based on their effectiveness, implementability, and cost. The remedial objectives are based upon the level of protection of human health (1×10^{-5} —or one per 100,000 excess cancer risk for industrial standards, and 1×10^{-6} —or one per 1,000,000 excess cancer risk for residential standards) and comparison with native background concentrations. The Site-specific residential standard remedial objectives are 7.05 **parts per million (ppm)** for **arsenic**, 218 ppm for **lead**, and 0.03 ppm for dieldrin, an **organochlorine pesticide**.

ALTERNATIVES CONSIDERED

The draft RAW evaluated three remedial action alternatives:

Alternative 1: Excavation followed by onsite reuse or offsite disposal.

Option 1A: excavation and onsite reuse of soil exceeding industrial standards;

Option 1B: excavation and offsite disposal of soil exceeding industrial standards;

Option 1C: excavation and offsite disposal of soil exceeding residential standards.

Alternative 2: Installation of a clean soil cap and implementation of institutional controls, such as an Operation and Maintenance (O&M) Plan, and a Land Use Covenant (also known as a deed restriction).

Option 2A: to meet industrial standards;

Option 2B: to meet residential standards.

Alternative 3: No further action.

RECOMMENDED ALTERNATIVE

The recommended remedial alternative is installation of a clean soil / gravel cap and

establishment of “institutional controls” to limit exposure to impacted soils above industrial standards (Alternative 2, Option 2A). This alternative will also require development and implementation an O&M Plan for ongoing monitoring and maintenance of the cap, a deed restriction, and a site-specific Soil Management and Health and Safety plan for future maintenance and/or construction workers. It is the recommended remedial alternative due to the following factors:

- It meets the remedial objectives now and in the future;
- It has the lowest short-term risks and provides greater long-term protection of human health than the other alternatives (except complete excavation and offsite disposal);
- It is easier to implement than all Alternative 1 Options and Alternative 2, Option 2B; and
- It is consistent with the planned land use.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

DTSC has evaluated the cleanup project, in accordance with **CEQA** requirements, to determine if the proposed cleanup will have any negative impacts on the environment. We have determined that the cleanup will improve environmental quality, and will not have negative impacts on the environment. Therefore, a proposed **Notice of Exemption (NOE)** has been prepared for this project. The proposed **NOE** will also be available for review at the information repositories. Please see the last page for the designated public repository locations.

GLOSSARY OF TERMS

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

A law mandating environmental impact review of governmental actions in California. The Act applies generally to all activities undertaken by state and local agencies, and to private activities financed, regulated, or approved by state and local agencies.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC)

A department within the California Environmental Protection Agency charged with the responsibility for overseeing the investigation and clean up of hazardous waste sites. DTSC was formerly the California Department of Health Services, Toxic Substances Control Program.

REMOVAL ACTION WORKPLAN (RAW)

A plan that outlines a specific program leading to the remediation of a contaminated site. Once the Draft Removal Action Workplan is prepared, and approved by DTSC, comments from the public are solicited for a period of no less than 30 days. After the public comment period has ended and the comments have been addressed in writing, DTSC may modify the Draft RAW on the basis of those comments before it approves the final remedy for the site (the Final RAW).

GROUNDWATER

Water beneath the earth's surface that flows through soil and rock openings, aquifers, and often serves as a primary source of drinking water.

LEAD

A heavy metal present in small amounts everywhere in the environment. Lead can get into the body from drinking contaminated water, eating vegetables grown in contaminated soil, or breathing dust when children play or adults work in lead-contaminated areas or eating lead-based paint. It can cause damage to the nervous system or blood cells. Children are at highest risk because their bodies are still developing. Lead and its compounds are listed as a reproductive toxic substance for women and men.

ARSENIC

A metal that is widely distributed in the earth's crust and used widely as a wood preservative, in semiconductors and light-emitting diodes, in alloys for lead-acid batteries, and historical pesticide applications. Arsenic can get into the body from drinking contaminated water, eating vegetables grown in contaminated soil, breathing impacted dust, or ingestion by children eating impacted dirt. Arsenic and its inorganic compounds have been classified as a known human carcinogen.

ORGANOCHLORINE PESTICIDES

A class of pesticides was widely used before being banned for use in the United States in 1973 to control insects that carry diseases like malaria and typhus. Organochlorine pesticides can get into the body from eating foods containing small amounts of these compounds (meat, poultry, dairy products, fish, and leafy vegetables). Infants may also be exposed by drinking breast milk. Eating foods with large amounts of organochlorine pesticides (grams) over a short time would most likely affect the nervous system.

NOTICE OF EXEMPTION (NOE)

A document prepared in compliance with the California Environmental Quality Act. An NOE is filed when the lead regulatory agency decides that the project falls under the "general rule" exemption. This exemption is applied to activities where it can be seen that the activity will not have a significant effect on the environment.

PARTS PER MILLION (ppm)

A unit of measure commonly used to describe levels or concentrations of chemicals in soil and groundwater. A concentration of 1 ppm is equal to 1 part chemical in 1 million parts of water or soil. Parts per million can also be measured as milligram per kilogram (mg/kg).

Anuncio

Si prefiere hablar con alguien en español acerca de ésta información, favor de llamar a Jesus Cruz, Departamento de Control de Substancias Tóxicas. El número de teléfono es (510) 540-3933.

For More Information

If you would like more information about the Site, please call Ryan Miya, DTSC Project Manager, at (510) 540-3775 or Jesus Cruz, DTSC Public Participation Specialist, at (510) 540-3933. For media questions, please contact Angela Blanchette, DTSC Public Information Officer, at (510) 540-3732.

Information Repositories

The public participation plan, the draft RAW and the negative declaration, which are part of the Administrative Record for the Site, as well as other documents relating to the Site are available for public review at the following locations:

Santa Clara City Library
3345 Lochinvar Avenue
Santa Clara, CA 95051
(408) 615-2970

DTSC File Room
700 Heinz Avenue, Suite 200
Berkeley, CA 94710
(510) 540-3800
(Call for Appointment)

The full Administrative Record for the Intel Freedom Circle Site is available at the DTSC Office listed above.

Additional Information about DTSC can be found at www.dtsc.ca.gov.

Notice to Hearing Impaired Individuals

TDD users can obtain additional information about the Site by using the California State Relay Service (1-888-877-5378) to reach Jesus Cruz at (510) 540-3933.

Jesus Cruz
DTSC
700 Heinz Avenue, Suite 200
Berkeley, CA 94710